

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

ETHAN W. MOORE,

Plaintiff,

-vs-

Case No. 15-C-936

**MATHEW D. PETERSON and
RICK SCHMIDT,**

Defendants.

DECISION AND ORDER

Pro se plaintiff Ethan Moore alleges that the defendants violated the Fourth and Eighth Amendments when they took his blood for an OWI test at the direction of Kenosha police officers. Moore requests leave to proceed *in forma pauperis*. Moore has very little money to live on after accounting for fixed monthly expenses. Therefore, the Court concludes that Moore is unable to pay the costs of commencing this action. 28 U.S.C. § 1915(a)(1).

IT IS HEREBY ORDERED THAT Moore's motion to proceed IFP [ECF No. 2] is **GRANTED**.

IT IS FURTHER ORDERED THAT the United States Marshals Servicel is directed to serve a copy of the complaint and this Order upon the defendants pursuant to Federal Rule of Civil Procedure 4. Moore is advised that Congress requires the United States Marshals Service to

charge for making or attempting such service. 28 U.S.C. § 1921(a). The current fee for waiver-of-service packages is \$8.00 per item mailed. The full fee schedule is provided at 28 C.F.R. §§ 0.114(a)(2), (a)(3). Although Congress requires the Court to order service by the United States Marshals Service precisely because IFP plaintiffs are indigent, it has not made any provision for these fees to be waived either by the Court or by the United States Marshals Service.

Moore is notified that from now on, he is required, under Federal Rule of Civil Procedure 5(a), to send a copy of every paper or document filed with the Court to the opposing parties or if the opposing party is represented by counsel to counsel for that party. Fed. R. Civ. P. 5(b). If Moore does not have access to a photocopy machine, he may send out identical handwritten or typed copies of any documents. The Court may disregard any papers or documents which do not indicate that a copy has been sent to the opposing party or that party's attorney, if the party is represented by an attorney.

The plaintiff is advised that he must keep a copy of every paper he files with the Court.

The plaintiff is further advised that failure to make a timely submission may result in the dismissal of this action for failure to

prosecute.

In addition, the parties must notify the Clerk of Court of any change of address. Failure to do so could result in orders or other information not being timely delivered, thus affecting the legal rights of the parties.

Dated at Milwaukee, Wisconsin, this 24th day of August, 2015.

BY THE COURT:



HON. RUDOLPH T. RANDA
U.S. District Judge